

C/ECF

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U.S. DISTRICT COURT E.D.N.Y.

★ APR 17 2019 ★

LONG ISLAND OFFICE

MEMORANDUM TO
THE HONORABLE JOANNA SEYBERT
UNITED STATES DISTRICT JUDGE

RE: U.S. v. Harold Bendell
U.S. v. Bruce Bendell
DOCKET #: 17-CR-585
SENTENCE DATE: April 18, 2019

REQUEST FOR ADJOURNMENT DUE TO DELAY IN PRESENTENCE INVESTIGATION

On July 26, 2018, the defendants pled guilty before Your Honor to a single-count information, charging the aiding and assisting in the preparation of a fraudulent income tax return. The investigations were assigned to the undersigned on July 31, 2018, with a scheduled sentence date of November 30, 2018. The presentence report (PSR) for Bruce Bendell was disclosed on December 13, 2018, and the PSR for Harold Bendell was disclosed on December 21, 2018.

Counsel for Bruce Bendell submitted lengthy objections to the PSR on April 9, 2019, and Counsel for Harold Bendell submitted lengthy objections to the PSR on April 10, 2019. The undersigned was unable to consult with the Government on the objections until April 12, 2019. Given the lengthy nature of the objections, it would present difficulty for the Probation Department to disclose thorough addenda in time for the scheduled sentencing. The Probation Department therefore requests that the sentencing for the above-noted defendants be adjourned May 2, 2019, or thereafter, to allow for the Probation Department to prepare addenda for the above-referenced defendants.

If Your Honor has any concerns regarding this matter, please contact the undersigned officer.

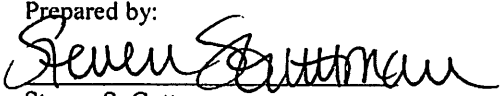
/s/ Joanna Seybert
Application Granted /
U.S. District Judge Date 4/17/2019

New Sentence Date and Time: 6/5/2019 at 11:00 am

Application Denied _____
U.S. District Judge Date

RESPECTFULLY SUBMITTED,

VITA QUARTARA
ACTING CHIEF U.S. PROBATION OFFICER

Prepared by:

Steven S. Guttman
U.S. Probation Officer
(631) 712-6315

Date: April 16, 2019

cc: Steven J. Harfenist, Esq., Defense Counsel (Harold Bendell)
Scott A. Resnik, Esq., Defense Counsel (Bruce Bendell)
Burton T. Ryan, Jr., Esq., Assistant United States Attorney